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BEFORE THE ARIZONA CORPORATION COMMISSION

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Chairman

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Commissioner

MARC SPITZER
Commissioner

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Arizona Corporation Commission

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IN THE MATTER OF QWEST
CORPORATION'S COMPLIANCE WITH
§ 271 OF THE
TELECOMMUNICATIONS ACT OF
1996.

DOCKET NO. T-00000A-97-0238

**QWEST'S MEMORANDUM IN SUPPORT OF
MOTION TO STRIKE PORTIONS OF AT&T'S
POST WORKSHOP BRIEF**

Introduction

In March and May 2001, the Arizona Corporation Commission ("Commission") conducted Workshop Number 5 in connection with Qwest Corporation's ("Qwest") application to provide in-region interLATA service in Arizona pursuant to 47 U.S.C. § 271 relating to checklist items 4 (unbundled loops) and 11 (number portability). As a result of this workshop, Qwest, the Commission Staff and the participating competitive local exchange carriers ("CLECs") resolved and closed numerous issues relating to loops, line splitting, NIDs and LNP. The issues that the participants were unable to resolve were designated as "impasse issues" and scheduled for briefing by the parties and resolution by the Commission. On June 6, 2001, the Commission Staff issued

the final Arizona Issues List ("AIL") which reported the issues that the participants had agreed to close and framed the remaining impasse issues for briefing. AT&T Communications ("AT&T") subsequently submitted its post-workshop brief. Rather than limit its post-workshop brief to the impasse issues designated in the AIL, however, AT&T argued issues that were closed by agreement of the parties and raised issues that had not been discussed at the workshop. Specifically, AT&T briefed the issue of direct access to Qwest's LFACS database under AIL Loop Issue 4(b), an issue that was closed by agreement of the parties.¹ AT&T never demanded direct access to LFACS in Arizona. For the reasons detailed below, Qwest respectfully requests the Commission strike these portions of AT&T's brief.

Argument

In Section II.A.2.c of its brief, AT&T spends four pages discussing Qwest's obligation to provision integrated digital loop carrier ("IDLC") loops. AT&T also requests, for the first time, direct access to Qwest's LFAC database and any other database or source that contains information regarding Qwest's loop plant.²

¹ AT&T's Post Workshop Brief On Loop, Line Splitting and NID ("AT&T's Brief") at 12-16.

² AT&T's Brief at 12-16.

These portions of AT&T's brief are inappropriate for two reasons. First, AIL Loop Issue 4(b) was fully and completely resolved during the workshop and designated as "closed" by the Commission Staff. On May 16, 2001, the participants discussed AIL Loop Issue 4(b) and Mr. Wilson of AT&T affirmatively stated "I think we can close those [issues 4(a) and 4(b)] for purposes of Arizona."³ When other participants reaffirmed the closure of AIL Loop Issue 4(b), AT&T did not object or otherwise indicate that it wanted to keep the issue open.⁴ The Commission Staff also officially noted the issue as "closed" on the final AIL. For AT&T to reopen AIL Loop Issue 4(b) now when all the participants agreed to its closure is inappropriate, unfair, and prejudicial. Qwest has not briefed the issue because it relied on AT&T's representations as well as the Staff's AIL and, appropriately, considered the issue closed. Furthermore, reopening the issue negates the work of the participants during the workshop and invites unnecessary delay. There is no reason to re-examine an issue that the parties have resolved. Accordingly, the

³ May 16, 2001 Tr. at 1529. Copies of the relevant portions of the May 16, 2001 Transcript are attached as Exhibit A.

⁴ May 16, 2001 Tr. at 1529-1530.

Commission should strike the portions of AT&T's brief that relate to AIL Loop Issue 4(b).

Second, the portions of AT&T's brief that discuss direct access to Qwest's LFACs database should be stricken because AT&T failed to raise this issue during the workshop. Although AT&T has demanded direct access to Qwest's LFACs database in other states, AT&T failed to do so in Arizona. Thus, this request appears nowhere in the AIL, and Qwest is not aware of any instance in the record where AT&T makes such a demand. Similarly, Qwest is unaware of any request by AT&T to modify the final AIL.

As the Commission is aware, the purpose of the workshops is to raise issues that need attention and the purpose of the post workshop briefing is to address impasse issues. It is not the purpose of the post workshop briefing to raise new issues. If participants were allowed to raise issues for the first time after the conclusion of the workshop, the entire purpose of the workshop would be frustrated. This is particularly acute since the parties have agreed that only one round of impasse briefing is necessary. Clearly, AT&T had an ample opportunity to request direct access to Qwest's LFACs database during the workshop, but it chose not to raise the issue. AT&T should

not now be allowed to interject new issues into the process. Allowing AT&T to raise this issue will only further delay the process and prejudice Qwest. The Commission, therefore, should strike these portions of AT&T's brief.

If the Commission, however, decides to consider AT&T's request for direct access to Qwest's LFACs database, Qwest has attached a preliminary response to AT&T's demand as Exhibit B.

Conclusion

For the reasons detailed above the Commission should strike the portions of AT&T's brief that relate to AIL Loop Issue 4(b) and direct access to Qwest's LFACS database.

DATED this 12th day of July, 2001.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'T Berg', is written over a horizontal line.

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A

1 BEFORE THE ARIZONA CORPORATION COMMISSION

2

3 IN THE MATTER OF U S WEST) DOCKET NO.
4 COMMUNICATIONS, INC.'S) T-00000A-97-0238
5 COMPLIANCE WITH SECTION 271)
6 OF THE TELECOMMUNICATIONS) WORKSHOP 5
7 ACT OF 1996.) CHECKLIST ITEMS
8) 4 AND 11

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12 REPORTERS' TRANSCRIPT OF PROCEEDINGS

13

 VOLUME VIII
 (Pages 1449 through 1697)

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 Phoenix, Arizona
 May 16, 2001

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24

25

1 the two consistent by not disassociating the
2 involvement.

3 MS. KILGORE: The reason I asked is because I
4 think that the CICMP process would be quicker and less
5 contentious if an attorney looked at what was done in
6 these documents. And I'm not suggesting on a
7 continuous basis, but when this initial kind of review
8 based on the work that's done in the SGAT workshops,
9 to ensure that they are consistent. And it doesn't
10 take long. I don't know how many of these things are
11 out there, but, you know, it took me maybe an hour to
12 read through these things and highlight those areas
13 that were problematic. So I just think that it would
14 save us some heartache later if that process had been
15 done.

16 MS. SACILOTTO: Let me mull that over for a
17 minute.

18 MR. BELLINGER: Okay. It seemed like a good
19 suggestion, anyway.

20 4a and b.

21 MR. WILSON: I think we can close those for
22 purposes of Arizona.

23 MR. BELLINGER: I thought their response was
24 responsive.

25 MR. WILSON: Progress.

1 MS. SACILOTTO: We're going to close 4b?

2 MR. BELLINGER: Yes.

3 MS. KILGORE: 4a is deferred until this
4 afternoon.

5 MR. BELLINGER: That's the interval part.

6 Sorry. 4b is closed.

7 So now that gets us back to 8, I think.

8 MS. LISTON: But we still can't close 3c?

9 AT&T's not ready to close 3c yet?

10 MR. BELLINGER: I think on your commitment,
11 yeah. I think we got those based on the 45-day after
12 Friday of next week and the 30-day review, based on
13 how that works out, it's closed, unless there was
14 something found in those reviews. That's what we had
15 said.

16 MS. KILGORE: Right. Becky came up with
17 something, closed pending new issue.

18 MR. BELLINGER: The updates.

19 It sounds to me like the process is in place,
20 and we'll close it based on those updates occurring
21 like they should.

22 MS. SACILOTTO: Now 8?

23 MR. BELLINGER: Loop-8. I was waiting on
24 you.

25 MS. SACILOTTO: Okay. Actually, I think

B

BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL
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MARC SPITZER
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IN THE MATTER OF QWEST
CORPORATION'S COMPLIANCE WITH
§ 271 OF THE
TELECOMMUNICATIONS ACT OF
1996.

DOCKET NO. T-00000A-97-0238

**QWEST'S PRELIMINARY RESPONSE TO
AT&T'S DEMAND FOR DIRECT ACCESS
TO QWEST'S LFACS DATABASE**

Qwest provides a significant amount of information to CLECs regarding loop makeup and allows CLECs access to information through various means including the RLD tool accessed through IMA-GUI and IMA-EDI, Qwest's ADSL qualification, Qwest's POTS Conversion to Unbundled Loop Tool, Qwest's MegaBit Qualification Tool, and Qwest's wire center RLD tool, each of which is described in SGAT § 9.2.2.8. The wire center tool is robust and provides CLECs with the following loop makeup information: wire center CLLI code, cable name, pair name, terminal address, MLT distance, segment (F1, F2), sub-segment (e.g., 1 of F1), segment length, segment gauge, bridge tap length by segment, bridge tap offset distance, load coil type, and pair gain type.

Despite this wealth of loop makeup information, AT&T also demands that Qwest provide direct access to its Loop Facilities Assignment and Control System ("LFACS") database.¹ AT&T recognizes that it seeks greater than retail parity.² Moreover, if ordered to provide direct access to LFACS, Qwest would have to substantially modify the LFACS database to make it perform functions it cannot perform now, at apparently Qwest's own expense. The FCC has held that incumbent LECs are not required to create mechanized loop qualification tools for CLECs.³

AT&T's demand exceeds the requirement of the Act. It is critical to note that the FCC requires incumbent LECs to provide CLECs with access to the loop make up *information* in substantially the same time and manner as that information is available to the incumbent.⁴ Contrary to the arguments of AT&T, no FCC order requires the incumbent LECs to provide *direct access to its back office databases*, particularly where the incumbent makes loop makeup information in its back office systems available to the

¹ AT&T's Post Workshop Brief On Loops, Line Splitting, and NID ("AT&T's Brief") at 14-16.

² AT&T's Brief at 14 ("This particular issue is not faced by Qwest's retail arm.").

³ *UNE Remand Order* ¶ 429.

⁴ See, e.g., *UNE Remand Order* ¶ 431; *id.* ¶ 428 ("[T]he incumbent LEC must provide access to the underlying loop qualification *information* contained in its engineering records, plant records, and other back office systems so that requesting carriers can make their own judgments about whether those loops are suitable for the services the requesting carrier seeks to offer").

CLEC as Qwest does with the RLD tools. Furthermore, although Qwest is required to provide information to CLECs that is available in Qwest's back office systems, it must only do so in substantially the same time and manner as it makes that information available to itself.⁵ With respect to LFACS, Qwest retail representatives only have access to that database in the provisioning process. The retail and wholesale orders follow the same provisioning processes, including the assignment process that occurs in LFACS. Also, the FCC has conclusively stated that so long as the quality of the information available to both the incumbent LEC and the CLEC is the same, the incumbent LEC provides nondiscriminatory access even if there are errors in that data.⁶

The RLD is populated with information that is taken directly from the from the loop qualification database. The loop qualification database is used for both wholesale and retail qualification tools and receives data directly from LFACS. As with the pre-order MLT, Qwest retail sales representatives do not have access to LFACS on a pre-order basis.⁷ LFACS is a provisioning tool and is only accessed

⁵ *UNE Remand Order* ¶¶ 430-31.

⁶ *Verizon Massachusetts Order* ¶ 66; *Kansas/Oklahoma Order* ¶ 126.

⁷ Multi-State Transcript, May 1, 2001 at 20-21 (relevant portions of the Multi-State Transcript are attached).

once Qwest actually places an order.⁸ Notably, Qwest uses LFACS in an identical manner for CLECs: once the CLEC places an order, Qwest uses the same provisioning process for CLECs as for Qwest retail.⁹ During this provisioning process, LFACS determines if facilities are available to fulfill the order. LFACS enables Qwest employees to assign a cable and pair to an individual wholesale or retail request. The LFACS database is programmed to find cable and pairs that meet the technical parameters of the individual service requested. Once it finds the matching facilities, it does not "look" for alternatives. Qwest uses the same mechanized and manual provisioning process for Qwest retail and CLECs alike.¹⁰

As discussed in other workshops, LFACS in Qwest's network does not have "searchable" functionality. LFACS is strictly an assignment tool.¹¹ It looks for facilities on a "one-at-a-time" basis to fulfill the specifications indicated in a specific order.¹² Once compatible facilities

⁸ *Id.* at 17-18.

⁹ *Id.* at 24, 79, 81.

¹⁰ *Id.* at 93-94.

¹¹ *Id.* at 88.

¹² *Id.* at 98, 100.

are identified, it stops.¹³ LFACS does not search for other possible facilities to fill the order. Indeed, LFACS is not even a searchable database and cannot process generic queries for information.¹⁴ Thus, there is no way to query LFACS for spare facilities, as AT&T claims it wants to do.¹⁵ To create the functionality AT&T demands would require a significant overhaul of LFACS.¹⁶ Yet, neither AT&T nor any other CLEC has stated that they would compensate Qwest to create this functionality for them.¹⁷

AT&T's demand for direct access to LFACS is also problematic because LFACS contains loop information on every Qwest unbundled loop and, of course, for every other CLEC obtaining unbundled loops from Qwest.¹⁸ Thus, were AT&T to prevail, it would have access to highly confidential information of its competitors.¹⁹ AT&T claimed that Qwest had this proprietary information itself so CLECs

¹³ *Id.* at 88.

¹⁴ *Id.* at 88, 100.

¹⁵ *Id.* at 88, 92, 98.

¹⁶ *Id.* at 98-99.

¹⁷ Furthermore, Qwest cannot perform the LFACS inquiry for CLECs because LFACS requires an order to initiate the assignment process. *Id.* at 100.

¹⁸ *Id.* at 97-98.

¹⁹ *Id.*

should have it as well.²⁰ This argument has no merit whatsoever because Qwest must have information regarding the use of its own network. And, as Qwest demonstrated at the multi-state workshop, Qwest does not have access to any information regarding CLECs' own facilities or facilities the CLEC may obtain from others.²¹ AT&T, notably, proposed no specific plan for protecting this proprietary information from disclosure.

Neither AT&T nor any other CLEC has presented compelling evidence that direct LFACS will provide it with any additional loop makeup information than available through the RLD tool. For example, AT&T claims it needs direct access to determine if there are spare facilities available. Qwest demonstrated, however, that to determine if facilities are available on a pre-order, pre-provisioning basis, both Qwest retail and CLECs have access to "Facility Check," a searchable tool that permits CLECs to determine what facilities are available.²² This is the same tool Qwest uses to determine if there are spare facilities.²³ As Ms. Liston testified, Qwest is also in the process of enhancing the spare facility information

²⁰ *Id.* at 106.

²¹ *Id.* at 106-07.

²² *Id.* at 17-18, 21.

²³ *Id.* at 22.

available through IMA-GUI and IMA-EDI RLD tool to display spare facilities on an individual basis in addition to on a wire center level.²⁴ Since the Seven State workshop, Qwest has determined that this update will be implemented no later than December 2001, and Qwest is hopeful this functionality will be included in an earlier release. Qwest's ADSL tool also displays spare facility information.²⁵ Thus, AT&T currently has access to some spare facility information, and RLD will have additional functionality AT&T seeks in the near future.

AT&T also claimed it needed direct access to LFACS for information on loop segments. Neither Qwest retail nor CLECs have access to information on loop segments, such as F1 or F2, because those segments are not a complete loop and must be designed.²⁶

AT&T argued that it needs direct access to LFACS to determine if it can serve customers where IDLC is prevalent. This argument is meritless. Setting aside the fact that AT&T admitted it has never ordered an unbundled loop on IDLC,²⁷ and therefore cannot establish need, Qwest

²⁴ Multi-State Transcript, April 30, 2001 at 154; May 1, 2001 Tr. at 80.

²⁵ May 1, 2001 Tr. at 80.

²⁶ *Id.* at 23.

²⁷ April 30, 2001 Tr. at 144; May 3, 2001 Tr. at 11-12. Moreover, AT&T's market entry plans do not include any potential for using an unbundled loop served over IDLC. AT&T's market entry plans are (1) its own cable facilities; (2) DSL (which cannot be provisioned over

provides CLECs with a wire center raw loop data tool that shows every instance of integrated pair gain in the entire wire center.²⁸ Qwest introduced the mechanized bulk wire center loop make-up tool in August 2000. The batch files Qwest provides contain a list of all active telephone numbers within a particular wire center as well as detailed raw loop information for each telephone number listed. CLECs can access these wire center level loop files through a CLEC-accessible, Qwest web site <http://econ.uswest.com>. The batch files provide information regarding integrated pair gain and other information that permits CLECs to determine if the area they intend to serve supports DSL service. The batch files are refreshed on a rolling basis monthly. When shown the print out of sample of information from the wire center tool in subsequent workshops - which prominently identified instances of IPG -- AT&T did not push IDLC as the basis for its request for direct access to LFACS.

AT&T further claimed that it needed more ability to see spare facilities to determine how to configure a loop served by IDLC.²⁹ Qwest demonstrated, however, that whether Qwest or CLEC places the order, the 11-step assignment

IDLC) and (3) UNE-P, which does not require Qwest to unbundle the IDLC. *See* May 3, 2001 Tr. at 15-16. Therefore, this assertion by AT&T is a red herring.

²⁸ April 30, 2001 Tr. at 148-49, 151-52; May 1, 2001 Tr. at 110-111.

²⁹ May 1, 2001 Tr. at 81.

process, using LFACS, will look for facilities to meet those needs.³⁰ In addition, providing information to CLECs on F1 or F2 segments would not tell the CLEC whether Qwest will be able to provide a complete unbundled loop to a customer served by IDLC.³¹ Thus, this rationale for seeking direct access also fails.

AT&T was upfront at the multi-state workshop that it is not seeking parity, but something far more extensive than Qwest has access to itself.³² However, the FCC orders on access to loop makeup information are unambiguous that Qwest need not provide CLECs with information above and beyond what is available to itself. Thus, as a matter of law, AT&T's demand for access to information beyond what Qwest provides to itself fails. Furthermore, Qwest has investigated the access to loop make up information that other BOCs provide, and based upon Qwest's investigation, other BOCs are not providing direct access to LFACS. As discussed in the *Verizon Massachusetts Order*, Verizon provides mediated access to loop makeup information from LFACS, not direct access to LFACS itself.³³ That it takes Verizon 24 hours to return the loop makeup information

³⁰ *Id.* at 81-82.

³¹ *Id.* at 82.

³² *Id.* at 81 (Wilson) ("I think I'm past the retail parity issue here").

³³ *Verizon Massachusetts Order* ¶ 57.

demonstrates that it provides LFACS information, but not direct access. SBC also provides mediated access to LFACS information,³⁴ as does Qwest.

The FCC has found that Qwest must provide CLECs with access to OSSs in substantially the same time and manner as they are provided to the Qwest retail arm. The ROC OSS test will specifically evaluate whether Qwest provides CLECs with access to the same loop makeup information from the same databases available to Qwest and whether it updates that information in the same manner.³⁵ It is uncontroverted that Qwest's retail representatives do not have access to underlying LFACS information. AT&T simply wants more than the law requires. The ROC will determine whether Qwest provides CLECs with the same loop makeup information Qwest provides to itself and will recommend what, if any, changes are necessary. Furthermore, Qwest's SGAT obligates Qwest to provide "the same loop qualification information available to Qwest."³⁶ With all these assurances of equivalent access, the Arizona Corporation Commission should find and recommend that Qwest has met its obligation to provide CLECs with loop makeup

³⁴ *SBC Kansas Oklahoma Order* ¶ 122.

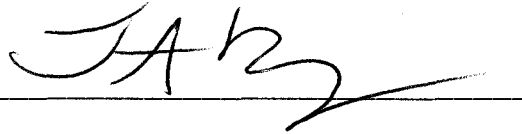
³⁵ May 1, 2001 Tr. at 20.

³⁶ SGAT § 9.2.2.8.

information and is not required to provide direct access to LFACS.

DATED this 12th day of July, 2001.

Respectfully submitted,

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1 BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

2 Case No. USW-T-00-3

3 In the Matter of US WEST Communications, Inc.'s Motion
4 for an Alternative Procedure to Manage the Section 271
Process.

5 STATE OF IOWA
6 DEPARTMENT OF COMMERCE
UTILITIES BOARD

7 Docket No. INU-00-2

8 IN RE: US WEST COMMUNICATIONS, INC.

9 -----

10 DEPARTMENT OF PUBLIC SERVICE REGULATION
11 BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

12 Docket No. D2000.5.70

13 IN THE MATTER OF the Investigation Into US West
14 Communications, Inc.'s, Compliance with Section 271
of the Telecommunications Act of 1996.

15 -----

16 STATE OF NORTH DAKOTA
17 PUBLIC SERVICE COMMISSION
Case No. PU-314-97-193
18 US West Communications, Inc., Section 271 Compliance
Investigation.

19 -----

20 BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

21 Docket NO. 00-049-08

22 In the Matter of the Application of US West
23 Communications, Inc., for Approval of Compliance with
47 U.S.C. ss 271(d)(2)(B).

24 -----

25

1 BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING

2 Docket No. 70000-TA-00-599

3 In the Matter of the Application of US West Corporation
4 Regarding 271 of the Federal Telecommunications Act of
5 1996, Wyoming's Participation in a Multi-State Section
6 271 Process, and Approval of Its Statement of Generally
7 Available.

6 -----

7 BEFORE THE NEW MEXICO REGULATION COMMISSION

8 Utility Case No. 3269

9 IN THE MATTER OF Qwest Corporation's Section 271
10 Application and Motion for Alternative Procedure to
11 Manage the Section 271 Process

11 -----

12 WORKSHOP 6

13 Pursuant to notice to all parties of interest,
14 Technical Workshop was held at 1:00 p.m., April 30,
15 2001, at 3333 Quebec, Denver, Colorado, before
16 Facilitators John Antonuk and Bill Binek.

17 APPEARANCES

18 (As noted in the transcript.)

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1 otherwise, my advice to CLECs would be, Don't -- don't
2 try to offer residential service over unbundled loops
3 if you know there is any IDLC out of that wire center
4 because you will get stuck on a lot of loops and it
5 looks like it causes a lot of problems.

6 MR. STEESE: Ken, one question before I
7 ask this specifically, has AT&T ever had a situation
8 that you are specifically aware of where you had an
9 unbundled loop provisioned to you over IDLC from Qwest?

10 MR. WILSON: I don't know.

11 We are expanding our business. I don't
12 know if we have yet encountered that here.

13 MR. STEESE: And so all of the discussion
14 about problems was you hearing another CLEC and
15 bringing that to the fore here.

16 MR. WILSON: Well, it's the same -- yes.
17 And it's the same advice that I would give to my client
18 AT&T to beware.

19 MR. STEESE: So to date this isn't a
20 problem you personally -- AT&T personally has
21 experienced to your knowledge.

22 MR. WILSON: I have not, but I -- but we
23 certainly heard about it in great detail.

24 MR. STEESE: And the particular situation
25 you are talking about had to do with one particular

1 Well, yes, we have a five-day interval and we'll do
2 everything we can to provide you a loop but the
3 ultimate answer is we can't do anything for you, then
4 they have made a commitment to the customer that they
5 can't meet. And that's not the outcome that we want.

6 MS. LISTON: The -- Ken, you earlier
7 mentioned about if you decide to go in and do a
8 marketing and then find out that customers are on IDLC,
9 I guess I would say, Qwest has given you a tool to do
10 wire center level loop makeup information; and if you
11 were looking to determine whether or not you wanted to
12 go into a market, that tool is available to you. It
13 will tell you every customer in the wire -- every
14 telephone number in the wire center and it will tell
15 you if it's on integrated -- it will tell you if it's
16 on IDLC. So you have the ability to do some work on --
17 up front to get a feel for it.

18 Additionally, on an individual loop basis
19 on your preorder transaction, you can go in and find
20 out through the raw loop data tool whether it's on
21 IDLC. So, you know, I think there is a double -- you
22 know, there is responsibility on both sides. There is
23 responsibility on the CLEC side to say -- to get as
24 much information as possible ahead of time before they
25 begin major marketing.

1 Their raw loop data tool is now at the
2 wire center level available and can be done that way
3 and then there is also additional responsibility on an
4 individual loop basis.

5 The -- in terms of assurance issues, as I
6 mentioned, we have just instituted the new control
7 process with a manager that will be overseeing loops
8 that are on IDLC that was not in place in the past.
9 We've recognized that is difficult and we're taking
10 steps to try to help the CLECs through the process on
11 the IDLC.

12 You mentioned about central office
13 equipment, and we should just go ahead and put
14 equipment in the office. Well, equipment costs money.
15 If there are no CLECs coming into the office, it
16 doesn't make sense to randomly put central office
17 terminal equipment in on the outside chance that
18 something will happen.

19 Additionally, one thing I think is
20 important to note is that even though the central
21 office equipment is placed, it comes with a growth job
22 that there are outside copper facilities that have to
23 be placed because in order to make it work, we still
24 need the loop to the customer's residence. And if we
25 don't have that one to one correlation, we're going to

1 IDLC and you tend to do it when you are out of copper.
2 That's the normal way that this kind of happens.

3 And so I -- I think -- see, part of the
4 problem is what you are saying you won't put this
5 equipment in until -- randomly because you don't know
6 where CLECs want it. But the only way for a CLEC to
7 essentially signal you it wants it is to put in orders
8 and have those orders go held. That doesn't seem like
9 a very good process.

10 Maybe there should be a way for a CLEC to
11 tell you we're going to -- we want to market in this
12 location and you should put this equipment in because
13 we're coming. Otherwise, it seems like the process
14 would be, we would go into a neighborhood, start
15 marketing, maybe some of them get provisioned and maybe
16 many of them go held. Unless we were, as Ms. Liston
17 says, to go line by line to check to see if it's on
18 IDLC, that -- that's -- that's not a very good process.

19 MS. LISTON: Well, you don't have to go
20 line by line.

21 In the raw loop data tool at the wire-
22 center level, Qwest delivers a flat file that the CLECs
23 can create any kind of database that they want out of
24 that data. So it can be done as simple as Xcel
25 spreadsheets -- they are really really big and you have

1 to parse the data -- or you can build a database. And
2 then if you really wanted to know what was out there,
3 you can do any kind of sort you want to figure out --
4 you don't have to do a line-by-line basis, but you can
5 use that data to make your determinations for marketing
6 purposes.

7 MR. WILSON: But as we determined two
8 weeks ago, I can't see if there is spare copper and
9 that's a big problem. So we don't actually know, when
10 we go into any of these tools, whether or not we can
11 provision quickly any of these circuits because there
12 is no way to look at the copper unless we get direct
13 access to look through the TURKs system.

14 And so I think what my recommendation
15 would be for this disputed issue is about threefold:
16 One that we get access to TURKs so we can see if there
17 is spare copper. Second, we need a process where we
18 can notify Qwest that we want to market to a particular
19 neighborhood where there is IDLC so that they can
20 install the proper equipment. And, third, we need some
21 intervals on the installation of this equipment so we
22 don't have to wait an indeterminate time until we can
23 start marketing there.

24 MR. STEESE: I would like to ask a
25 question of Mr. Hubbard, the engineer from network

1 will allow CLECs to market using unbundled loops in
2 these types of areas.

3 MS. LISTON: Ken, one of the things I
4 want to mention on the wire center level data, we have
5 done some additional investigation and there is spare
6 facility that is showing on the raw -- on the wire
7 center level data. We also have a system enhancement
8 in place. I don't have the date certain yet on when
9 the enhancement is going to be, but the raw loop data
10 tools will be enhanced so that spare facilities are
11 made available to the CLECs also. We expect that to
12 happen sometime this year, but we haven't had a date
13 certain on when IMA will release that. But the spare
14 information is available on the raw loop data tool.

15 MR. WILSON: My understanding is it's
16 only there if it's completely wired all the way
17 through. So, in other words, if you have spare
18 feeder -- just feeder, it's not there -- you could
19 confirm that or not; but I think the more important
20 question is when you make this update will it then
21 contain all of the spare capacity information or spare
22 facility information that TURKs has available?

23 MR. STEESE: You keep saying TURKs. Do
24 you mean TURKs?

25 MR. WILSON: TURKs.

1 BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

2 Case No. USW-T-00-3

3 In the Matter of US WEST Communications, Inc.'s Motion
4 for an Alternative Procedure to Manage the Section 271
Process.

5 -----
6 STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

7 Docket No. INU-00-2

8 IN RE: US WEST COMMUNICATIONS, INC.

9 -----

10 DEPARTMENT OF PUBLIC SERVICE REGULATION
11 BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

12 Docket No. D2000.5.70

13 IN THE MATTER OF the Investigation Into US West
14 Communications, Inc.'s, Compliance with Section 271
of the Telecommunications Act of 1996.

15 -----

16 STATE OF NORTH DAKOTA
17 PUBLIC SERVICE COMMISSION
Case No. PU-314-97-193
18 US West Communications, Inc., Section 271 Compliance
Investigation.

19 -----

20 BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

21 Docket NO. 00-049-08

22 In the Matter of the Application of US West
23 Communications, Inc., for Approval of Compliance with
47 U.S.C. ss 271(d)(2)(B).

24 -----

25

1 BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING

2 Docket No. 70000-TA-00-599

3 In the Matter of the Application of US West Corporation
4 Regarding 271 of the Federal Telecommunications Act of
5 1996, Wyoming's Participation in a Multi-State Section
6 271 Process, and Approval of Its Statement of Generally
7 Available.

6 -----

7 BEFORE THE NEW MEXICO REGULATION COMMISSION

8 Utility Case No. 3269

9 IN THE MATTER OF Qwest Corporation's Section 271
10 Application and Motion for Alternative Procedure to
11 Manage the Section 271 Process

11 -----

12 WORKSHOP 6

13 Pursuant to continuation, Technical Workshop 6
14 was held at 8:00 a.m., May 1, 2001, at 3333 Quebec,
15 Denver, Colorado, before Facilitators John Antonuk and
16 Bill Binek.

17 APPEARANCES

18 (As noted in the transcript.)

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1 IMA--I'll use IMA now generically--there's access to an
2 address validation, access to a facility check. Those
3 functions mirror what's done in retail, address
4 validation and facility check.

5 Additionally, our retail sales
6 representatives have access to the customer's overall
7 record and that's mirrored on the wholesale side in
8 conjunction with getting a CSR or getting the customer
9 service record. Again, this is part of the OSS test,
10 to make sure that our systems are functionally
11 providing parity between wholesale and retail.

12 We had quite a bit of discussion
13 around LFAC data base in Colorado. I have done some
14 additional checking on that. The LFAC data base is
15 not a data base that's accessed by our retail
16 representatives. If they were in a situation where
17 they went into facility check to look for are there any
18 facilities available to that premise, facility check
19 gives them the information that basically says yes or
20 no on whether there's facility available. They then
21 can say it looks like there's shortage or we can do it,
22 but we're going to have to pass through the system and
23 it's not until the assignment process that our actual
24 assigners that look for the loop makeup information or
25 the line makeup information do the full analysis on

1 where the facilities are available. That's mirrored in
2 the wholesale environment. You have access to facility
3 check and then if it looks like we're in a situation
4 where we don't know if we have facilities or we do have
5 facilities, it goes downstream and our assigners would
6 get access to the LFAC and do the assignment.

7 Based on the information I was able to
8 gather between Colorado and now even I can say we're in
9 parity in terms of the data bases that the wholesale
10 community and retail Qwest service reps from access to.

11 MR. ANTONUK: Sounds like we're talking
12 about preorder.

13 MS. LISTON: That's correct. That was
14 the discussion, yes.

15 MR. STEESE: Actually we've gone full
16 circle because the whole discussion of 8A with respect
17 to the various loop qualification data bases and what
18 CLECs have access to -- in the ROC we're testing to
19 determine whether parity actually exists, and we
20 circulated that exhibit yesterday. What Ms. Liston
21 just testified to will actually be validated in the
22 ROC test.

23 MR. ANTONUK: Exhibit JML-17?

24 MR. STEESE: Yes.

25 MR. ANTONUK: Which discusses the

1 mediated access through IMA.

2 MS. DeCOOK: I don't mean the precise
3 form of access. I mean the information that's on the
4 data base. It's important for the CLECs to have the
5 same access to that information that you have.

6 MR. STEESE: Thank you for that
7 clarification.

8 MS. LISTON: The only reason I
9 hesitated was to make sure in terms of the wording.

10 What the OSS test will do, it will
11 evaluate the parity issue that the information that
12 wholesale has is the same information as retail has.
13 If you ask the same question in resale as you ask in
14 wholesale you'll get the same answer and that's part
15 of the test. There's a test requirement to make sure
16 that's the case, and also that the data bases used are
17 the same data bases directly or indirectly, and then
18 finally to make sure that the information in those data
19 bases that feeds the two systems, for lack of a better
20 word, are updated in the same time frame.

21 MS. DeCOOK: Did you confirm as to
22 whether on the retail side of the house for purposes
23 of ordering the Qwest folks have access to LFAC?

24 MS. LISTON: I did check on that.
25 For purposes of ordering, the retail Qwest reps do not

1 have access to LFAC.

2 MS. DeCOOK: Is there a data base that
3 gets fed with LFAC information that they do have access
4 to?

5 MS. LISTON: The piece that they have
6 access to that's fed by LFAC is the facility check and
7 that is also available via IMA for the wholesale.

8 MS. DeCOOK: Okay.

9 I have one other question. I have this
10 in my notes and I'm sure from a technical standpoint
11 what it means so I'm hoping that you do. One of the
12 questions that we had I believe in Colorado is, what
13 tool gives access to information about dry loops?

14 MS. LISTON: I'm not sure what you mean
15 by a dry loop.

16 MS. DeCOOK: That's where I was hoping
17 you could help me. Perhaps we can hold this one.
18 Mr. Wilson can't get here on a bus until 8:30 and he
19 should be here any minute. I'm hoping he knows since
20 it's on his notes.

21 MR. ANTONUK: Can you help at all,
22 Mr. Hubbard, although it's not a problem to let
23 Mr. Wilson ring in on this one too.

24 MR. STEESE: Based on the fact that's
25 from Mr. Wilson's notes -- Mr. Wilson in the last

1 workshop asked, where do you get information to loops
2 not connected to a switch? Why don't I frame it that
3 way and hand it to Ms. Liston.

4 MS. LISTON: If it was loop not
5 connected to switch, another way we could talk about
6 it is that it's spare. The information on spare
7 facilities -- again, facility check is the tool
8 that the Qwest retail uses to see if there's spare
9 facilities, and there's a mirror tool in wholesale
10 IMA for facility check and it's called facility
11 availability. Those two tools mirror each other.
12 So in terms of whether or not there are spare
13 facilities, those are the two tools that are used both
14 in wholesale and retail for the validation of spare
15 facilities.

16 MS. DeCOOK: Are all the spare
17 facilities identified in that data base that's used for
18 the facility check or is there just a subset of spare
19 that's reflected there?

20 MS. LISTON: When you talk about
21 spare, it's hard to talk through all the possibilities,
22 because if you think about it, what is in the data
23 bases are stuff that we can identify as being connected
24 through to that customer. So it may be that it's a
25 primary line and has been left intact and the customer

1 moved. That would be showing up. If there were two
2 lines at the home and the first one is used and second
3 one isn't, that one would show up they would both show
4 up because they're semi dedicated even though it's not
5 connected. To that extent they'll have that
6 information in the facility check which is available
7 both wholesale and retail.

8 We did have quite a bit of discussion
9 in Colorado regarding fragments, if there was F1 and
10 F2. That information is not available because it
11 doesn't represent a complete loop from our central
12 office over to the customer. That would have to be
13 designed or built. So that doesn't reflect and it's
14 not in the wholesale or retail for the service rep for
15 a preorder basis.

16 MS. DeCOOK: What is the process of
17 the Qwest retail side employees when you find yourself
18 in a situation where you don't have facilities, spare
19 or otherwise? Is there a means by which the retail
20 side does a check of the F1s and F2s that would need to
21 be designed for that customer? Not just limiting it to
22 that, but what process is employed on the Qwest side
23 for the retail customers?

24 MS. LISTON: The process when we're
25 in a situation where, like, facility check shows no

1 facilities--and this one is near and dear because I'm
2 in that situation when I went for my extra line--is
3 that the Qwest retail representative will say, based
4 on looking at what I have in front of me, which is the
5 facility check, there are no spare facilities to your
6 home, then they give an option. Do you want me to
7 place the order and see what happens or do you want to
8 forget about it? If I answer yes, go ahead and place
9 the order, then the process would be the same as what
10 happens on the wholesale side when you place an order
11 that says I want a new loop. It goes downstream and
12 it would hit the assignment process, the assignment
13 employees would then look for and they run it through
14 the LFAC data base to see if we have any way of
15 building that loop to that customer premise, and
16 that's the same on resale and wholesale.

17 MS. DeCOOK: That gets back to
18 that language that we discussed and I think some new
19 language was proposed that our assignment process would
20 go through the same process as the Qwest assignment
21 process.

22 MS. LISTON: Exactly.

23 MS. DeCOOK: I think that's all the
24 questions I have right now. I would like to run this
25 by Ken when he gets here, and we can close it, or if he

1 MS. LISTON: What we discussed earlier
2 has to do with the issue you're asking about with the
3 provisioning.

4 Once the orders are placed within
5 the Qwest systems, whether it be from a retail service
6 order and a retail sales representative placing that
7 order or a CLEC placing an LSR that gets turned into a
8 Qwest service order, the provisioning process is the
9 same for retail and wholesale. To the manner in which
10 we do our line assignments, the manner in which we look
11 for spare facilities is the same both for retail and
12 wholesale.

13 What we talked about earlier this
14 morning was from a provisioning perspective the access
15 to systems that's available for retail sales are the
16 same as the access for wholesale. So you have access
17 to the same tools, same information as retail does.

18 MR. WILSON: One big fly in the
19 ointment is the need that we have identified yesterday
20 to look at where digital loop carrier is involved,
21 specifically integrated digital loop carrier, and where
22 spare facilities might be available to alleviate the
23 need for using the IDLC.

24 MS. LISTON: The issue associated
25 with whether the IDLC is present is handled in the loop

1 qualification tools. That information is given to you
2 to check for the verification.

3 The other thing I mentioned in terms
4 of the spare facility issue, what Qwest retail offices
5 have available to them is a facility check function for
6 spare facilities. That functionality is also available
7 in IMA for a facility check. So the same functionality
8 for spare facilities is both in resale and wholesale.

9 We talked a little bit, going way back
10 to probably in Arizona, on the aDSL loop qualification
11 tool. In that discussion I mentioned that if you look
12 at the aDSL tool there's a functionality that says --
13 it's called existing TN. On the screen you'll see
14 there's a box where you can check. If you don't check
15 that you want to check for existing TNs, it will look
16 for spare facilities. It's another way that you can
17 get some information on spare facilities on using the
18 aDSL tool.

19 Beyond that, what we're saying is that
20 the functionality for spare, wholesale, and retail are
21 in parity and that -- I did mention yesterday we are
22 doing some other enhancements to get more of the spare
23 facilities in the raw loop data tool. It is available
24 at the wire center level, it is not available at the
25 TN level. There's a system enhancement to do that.

1 Beyond that, our retail service reps do
2 not have access to LFAC and it's through the overall
3 assignment process that they have access -- that the
4 LFAC gets used and we do the same retail and wholesale.

5 MR. WILSON: I think I'm past the
6 retail parity issue here. I think the need has been
7 identified for a CLEC to be able to look at spare
8 facilities of all types.

9 Qwest's testimony in Colorado stated
10 that the only spare facilities that are available over
11 the current tools are those that are connected from the
12 -- clear through to the switch. In other words, it's
13 not all spare facilities. I couldn't look at spare
14 feeder, I couldn't look at spare distribution that was
15 not connected to feeder, and I think it's just a subset
16 of spare that I'm able to look at.

17 With the problems associated with
18 digital loop carrier, I think we need to look at
19 all of those spare facilities in order to help make
20 suggestions about how this could be configured to
21 unbundle the loops where integrated digital loop
22 carrier is used.

23 MS. LISTON: I disagree with you on
24 that. When the process for designing a loop is done
25 within the loop assignment center, it's through the

1 LFAC system, the order will come in and will look for
2 facilities that meet those needs. Both the wholesale
3 and retail process is the same; order comes in, goes
4 through the assignment process, and we look for
5 creation of that loop. There's nothing in the FCC
6 rules that said that Qwest has to give you information
7 about our entire network in any different fashion than
8 we do for retail. In retail when the order comes in,
9 it goes through the assignment process, the assignments
10 are made, and then the loop is created, so to speak,
11 in wholesale; you place the order, it goes through the
12 assignment process, and the loop is created. We do it
13 in the same fashion, we do it in the same time, and
14 that's what the FCC requires.

15 MR. STEESE: The problem is your retail
16 agents don't have this integrated digital loop carrier
17 problem we do. They have no such problem.

18 MS. LISTON: It's still going to have
19 to go through the assignment process to look for to
20 create a loop that's going to make it work. There's no
21 way -- giving you information in terms of F1 or F2 is
22 not going to answer the information in terms of whether
23 or not we're going to be able to create the total loop.
24 The requirement from the FCC says that we do the
25 process in parity, we do it the same way. We give

1 looking at two pieces. One is, what is required by the
2 law, and basically the FCC says that the information we
3 have available in our systems and in our data bases
4 needs to be made available to the CLEC community in the
5 same time and manner that we do internally. To that
6 regard, the loop qualification tools have been
7 established to provide the overall loop makeup
8 information on a preorder basis.

9 The next step is, we keep talking about
10 the LFAC tool, the LFAC data base. The LFAC data base
11 is an assignment data base. That is strictly used for
12 the creation and establishment of a service. When a
13 request comes in to Qwest, retail or wholesale, the
14 service order is created and it flows through the
15 systems, and then once it hits the assignment process
16 that circuit is created.

17 We've been talking about the LFAC like
18 you can go in and find out about F1 and go in and do
19 it. It's a mechanized system that assigns and creates
20 the service. It doesn't say you're going to be able to
21 serve and say here's my F1s. It's an assignment tool.
22 The way it works for wholesale and retail is a service
23 order is placed, order goes in, we assign it, find the
24 facilities, we do it in the same fashion for wholesale
25 and retail, and then it's created.

1 directly query the data bases of LFAC and TIRKS to
2 see what spare facilities are available. This is a
3 question of inventory. Qwest knows and can look at its
4 own inventory. I think we've identified the situation
5 where the CLEC will need that same type of information.

6 MS. LISTON: As I stated earlier,
7 the FCC states we give it to you in the same time and
8 manner that we do for retail. In terms of the spare
9 facility issue, that's done the same way. There is no
10 process of querying to look for spare pieces. The
11 assignment process is the creation of an assignment,
12 it's the creation of a service, it's the way it's
13 established. It will capture those and hold onto them,
14 saying, this is a complete facility. That tool is
15 providing direct access into the LFAC data base.
16 It's not required by the FCC.

17 MS. DeCOOK: Is it your testimony
18 that Qwest never goes into TIRKS and LFAC to design a
19 service for its customers without using the assignment
20 process? In other words, they always use the
21 assignment process, they never use the data bases to
22 provision their services outside of that assignment
23 process?

24 MS. LISTON: If you look at the overall
25 process flow for all orders, wholesale and retail, once

1 the order is created, the very first step that occurs
2 -- next step that occurs is the assignment process.
3 Wholesale and retail assignment occurs before any other
4 issues take place.

5 MS. DeCOOK: That wasn't my question.
6 My question is, do they ever go outside of that
7 process? Let's say they go through the assignment
8 process and they can't find a facility. Do they ever
9 then go in and look at TIRKS and LFAC outside of that
10 assignment process to find facilities that they can use
11 to design the service?

12 MS. LISTON: The way it would work is
13 that it first goes through the assignment process on
14 a mechanized basis. If it cannot create a mechanized
15 flow, then a manual process gets kicked into place to
16 look for ways to provide the service. When the manual
17 process comes in, they'll institute other queries
18 against the LFAC data base. So it goes against the
19 LFAC data base and it will ask for different things.
20 There's an option where it asks for a line and station
21 transfer kind of information. This is different
22 options within the LFAC that go beyond the first step
23 where it automatically goes and looks for the
24 assignment and pair.

25 MR. STEESE: That will happen the same

1 for retail and wholesale?

2 MS. LISTON: That's correct.

3 MS. DeCOOK: Qwest will be doing that
4 manual review on the CLEC's behalf?

5 MS. LISTON: That's correct.

6 MS. DeCOOK: The CLEC can't do that on
7 their own? They can't get access to the data base to
8 do that manual review?

9 MS. LISTON: That's correct. Neither
10 would our retail service representatives as part of the
11 process of assignment.

12 MS. DeCOOK: Incumbent personnel are
13 getting access to that to do the manual process, right?

14 MR. STEESE: That's exactly what
15 the FCC said was appropriate. If it goes to the back
16 office systems then in that particular circumstance we
17 have to go to the back office systems the same way for
18 you, which is exactly what we're doing.

19 MS. DeCOOK: We can debate what the FCC
20 requires and what they don't require in their briefs.
21 I think we've identified at least the processes.

22 MR. ANTONUK: Let me make sure I
23 understand the issue before we leave it.

24 I thought part of the argument was
25 that, unlike Qwest, AT&T has a particular need to get

1 unbundling in all its complexities and, let's call it,
2 evolution since the First Report and Order?

3 MR. STEESE: Are you saying did they
4 talk about the data base issue in the context of IDLC?
5 Not to my recollection.

6 MR. ANTONUK: They talk about it in
7 context of where parity is the standard.

8 MR. STEESE: Inquiries were
9 specifically made to other BOCs for requesting access
10 to LFAC. That exact question was raised and rejected.

11 MR. ANTONUK: Suppose they have a
12 fairly low level need for this, not the critical need
13 Mr. Wilson is talking about. What's wrong with giving
14 them the access they want? Why is that a problem?

15 MS. LISTON: Several different things
16 with access to LFAC. The LFAC data base contains the
17 information associated with everyone's services.
18 To the extent we have facilities that are in place for
19 AT&T, they would be in the LFAC data base. They've
20 used unbundled loops -- any other CLEC's services,
21 they're going to be in there.

22 MR. ANTONUK: Is that competitive
23 information?

24 MS. LISTON: Yes. It would lay out
25 the network and tell everybody who is where. To some

1 extent that kind of competitive information is stuff
2 that many people view as highly proprietary.

3 Within the Qwest rules we have to
4 protect proprietary information. It would have the
5 information associated with nonpubs and nonlists in
6 there, in addition to the other CLECs' network
7 information. We don't believe it's appropriate to
8 reveal that data base that has proprietary information
9 in it.

10 MR. ANTONUK: Other issues beside
11 proprietary and competitive information?

12 MS. LISTON: Only other concern that I
13 have with the LFAC is one that I mentioned earlier and
14 that is, if you look at the overall functionality of
15 the LFAC data base, it is literally a one-at-a-time
16 loop assignment process. It's built so that you
17 capture that loop information you're looking to
18 actually create it each time. It's not built as a
19 query system. It says can you tell me if there's spare
20 facility here. It would an overall assignment process.

21 MR. ANTONUK: If you wanted to use it
22 for Mr. Wilson's purposes you would have to structure a
23 whole complex set of queries that was useable?

24 MS. LISTON: Totally. It's a different
25 set of functionality than LFAC has today because LFAC

1 is strictly an assignment process today.

2 MR. ANTONUK: Couldn't the
3 confidentiality and proprietary issues be solved if you
4 provided the information that AT&T wanted rather than
5 providing AT&T access to the full data base?

6 MR. STEESE: Can I rephrase your
7 question?

8 MR. ANTONUK: You can take a shot at
9 it. Whether I'm going to let you remains to be seen.

10 MR. STEESE: Would it be based on
11 central office availability of facilities provide
12 the information that AT&T needs for the most part?

13 MR. ANTONUK: You're going to
14 the usefulness of it. There's a debate about the
15 usefulness of it. I'm going to have to resolve that.

16 What I'm at now is, to me there's a
17 scale here. How much ultimately we decide they need it
18 versus how big a deal is it for you to give it to them?
19 Those meters cross somewhere. I'm just trying to help
20 identify that cross point.

21 The question I want to get at
22 now is, to the extent you're worried about releasing
23 information that's competitive or proprietary, couldn't
24 you handle that if you did the queries based upon a set
25 of -- based on a spec that AT&T would deliver to you?

1 They would tell you this is what I want to you; you go
2 run LFAC and give me the answer.

3 MS. LISTON: It would be brand-new
4 functionality for LFAC, because the way that LFAC is
5 based today, it's strictly on the one-by-one loop
6 assignment process functionality. So there isn't -- it
7 isn't structured to do generic queries or community
8 queries or any of that. The data base is not built
9 for that.

10 MR. ANTONUK: That means you would
11 either have potentially significant costs in building
12 in that capability or it would be a very inefficient
13 and time-consuming process for you to run a whole lot
14 of individual increase to build this massive data that
15 AT&T would want; is that fair?

16 MS. LISTON: Yes. Not only on the
17 individual, the way that the system is set up, it does
18 take a service order to initiate that LFAC, so it would
19 be -- it would go through the actual creation of a
20 loop.

21 MR. ANTONUK: I turn back to you,
22 AT&T, and say to you, what do you think about this
23 mediated access to it and who do you think ought to be
24 responsible for the time and effort it takes to produce
25 the information that you think you need that Qwest

1 time, and they don't see that as a problem, where they
2 see a CLEC looking at the same information as a
3 problem. And I find that a little curious to start
4 with.

5 MR. ANTONUK: What they know is the use
6 you're making of their network. They don't know what's
7 beyond that in your network, do they, or do they?

8 MR. WILSON: They have the information,
9 whatever information is in that database, for
10 everyone's circuits. And what they are saying is the
11 CLEC should not have access to that same information
12 that would have their circuits, and of everyone else's
13 also. I mean, you can write in that people -- that
14 marketing people and salespeople don't have access to
15 this. Hopefully, Qwest's sales and marketing people
16 don't have access to the CLEC information. That's in
17 the same database. I mean, if you want to talk about
18 the parity issue, I don't see how the proprietary
19 nature of the information, and in the database, is any
20 more proprietary to Qwest than it is to the CLECs. So,
21 it's a common database at this point.

22 MR. STEESE: Are all of your loop
23 facilities in there, all of your cable facilities, all
24 of those loop facilities, are they there?

25 MR. WILSON: All of the ones we're

1 leasing from Qwest, they certainly are.

2 MR. STEESE: All of the others, are they
3 in -- all your individually owned facilities, are they
4 in that common database that you called it?

5 MR. WILSON: No, they are not.

6 MR. STEESE: And all those high-cap
7 facilities you are putting in yourself, are they there?
8 No?

9 MR. WILSON: The information, that if I
10 have no facilities of my own, yes, they would all be in
11 there. They would all be yours.

12 MR. ANTONUK: Mr. Wilson, he's making a
13 fair point. There is clearly a differential,
14 definitely, of network information that exists there,
15 as between Qwest and the CLECs. There's some overlap,
16 but, you know, clearly there's a lot more information
17 about Qwest's network in there than there is about
18 yours.

19 MR. WILSON: Well, that's why the SGAT is
20 Qwest's document and Qwest has obligations. I mean
21 that's -- I mean, then you get into the whole other
22 discussion that this is about what they are obligated
23 to do. I was just looking at the fact that the
24 information in the database has both CLEC and Qwest
25 information in it. And, I mean, I am not suggesting

1 commission, where they specifically rejected that, and
2 the FCC recently affirmed that, as we know, when they
3 granted Bell Atlantic 271 authority in Massachusetts.
4 So, I am not familiar with your case. I am aware of a
5 Massachusetts case that says, if what you said is
6 accurate, the exact opposite.

7 MR. HSIAO: I would be happy to provide a
8 copy of that decision to the --

9 MR. WILSON: I think it raises the
10 question, what is the percent of loops served in the
11 seven states with IDLC, and is that percentage growing?

12 MS. LISTON: I don't know the percentage
13 of loops served by IDLC. Jeff, do you have any feel,
14 on an overall basis?

15 MR. HUBBARD: I don't have a feel for
16 that right now.

17 MS. LISTON: One thing that I do want to
18 say, though, is that a statement was made that there's
19 no information available. And that's not completely
20 true. To the extent that you go in and look at the
21 wire center level data, you will be able to see that
22 there's a preponderance -- or no IDLC information. So,
23 there are tools available to give you a flavor of
24 what's going on, whether or not you are going to be
25 encountering an IDLC problem.

1 I wanted to correct the record. There's
2 no information available to the CLECs today.

3 And
the other thing is that throughout

4 the FCC, and it was in the UNE remand that talked about
5 there is not a requirement on the ILEC to build
6 additional systems or tools that are special for the
7 purposes of providing CLECs information. Basically it
8 says, give it in the same manner as you give your own
9 services, and that's exactly what's being done today.

10 MR. WILSON: Well, if that were true, we
11 would still be using fax and phone calls for ordering,
12 but I won't go there. I think it's my general belief
13 that IDLC is a very efficient mechanism that Qwest does
14 use, especially in states such as are represented here,
15 because it is a means of efficiently serving remote and
16 rural types of neighborhoods and locations. And I
17 don't know specific numbers in Qwest's region, for
18 these states, but I know, in some of the states I have
19 looked at in Qwest's network, it can be up in the 20
20 percent. And the problem is if you -- if the 20
21 percent is embedded within a larger neighborhood, that
22 you may not be able to market a much larger proportion
23 of the customers because you can't -- when someone
24 calls, it's pretty bad to say, well, we can't serve
25 you, but I can serve your neighbor down the street.

1 BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

2 Case No. USW-T-00-3

3 In the Matter of US WEST Communications, Inc.'s Motion
4 for an Alternative Procedure to Manage the Section 271
Process.

5 STATE OF IOWA
6 DEPARTMENT OF COMMERCE
UTILITIES BOARD

7 Docket No. INU-00-2

8 IN RE: US WEST COMMUNICATIONS, INC.

9
10 DEPARTMENT OF PUBLIC SERVICE REGULATION
11 BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

12 Docket No. D2000.5.70

13 IN THE MATTER OF the Investigation Into US West
14 Communications, Inc.'s, Compliance with Section 271
of the Telecommunications Act of 1996.

15
16 STATE OF NORTH DAKOTA
17 PUBLIC SERVICE COMMISSION
Case No. PU-314-97-193
18 US West Communications, Inc., Section 271 Compliance
Investigation.

19
20 BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

21 Docket NO. 00-049-08

22 In the Matter of the Application of US West
23 Communications, Inc., for Approval of Compliance with
47 U.S.C. ss 271(d)(2)(B).

24
25

1 BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING

2 Docket No. 70000-TA-00-599

3 In the Matter of the Application of US West Corporation
4 Regarding 271 of the Federal Telecommunications Act of
5 1996, Wyoming's Participation in a Multi-State Section
6 271 Process, and Approval of Its Statement of Generally
7 Available.

8 -----

9 BEFORE THE NEW MEXICO REGULATION COMMISSION

10 Utility Case No. 3269

11 IN THE MATTER OF Qwest Corporation's Section 271
12 Application and Motion for Alternative Procedure to
13 Manage the Section 271 Process

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16 Pursuant to continuation, Technical Workshop 6
17 was held at 9:15 a.m., May 3, 2001, at 3333 Quebec,
18 Denver, Colorado, before Facilitators John Antonuk and
19 Bill Binek.

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21 APPEARANCES

22 (As noted in the transcript.)

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1 entry strategies fit within any particular wire center.
2 That is the point. We have that information there for
3 them.

4 In addition to that, let's assume that
5 AT&T went and looked at that tool and said, you know,
6 this is 25 percent IDLC, it gives us some concern.
7 We have account teams to work through issues like that
8 with them. They came to us with a legitimate question
9 like that, of course we would discuss it with them.
10 But then the other thing that we heard from AT&T on
11 Monday is that they have never, ever, ever ordered a
12 loop on IDLC. This is all theoretical issues for them
13 right now.

14 Last, in terms of process for CLEC to
15 upgrade the central office, we have such a thing and
16 it's called special construction. If they want us to
17 prepare a central office, contact us; there's an entire
18 process for that. We think we have that situation
19 handled as well. That's set forth in the SGAT. I'm
20 not familiar with all of AT&T's contracts, but I've
21 seen a couple and the ones that I've seen have special
22 construction language in it.

23 MR. WILSON: I think the problem is
24 that -- it's true, to my knowledge, AT&T has not yet
25 ordered an unbundled loop where there's integrated

1 digital loop carrier. The fact of the matter is, I
2 wouldn't advise my CLEC to order unbundled loops in a
3 wire center -- Qwest wire center that has integrated
4 digital loop carrier right now because of the problems
5 that I have seen and the issues that we've been
6 discussing. I think the two suggestions that I was
7 making would go a ways to solve that issue.

8 I think a CLEC should look at the wire
9 center makeup through the tool it has to determine if
10 integrated digital loop carrier is there, but then I
11 think we need Qwest to do this evaluation to determine
12 how many loops can be provisioned and then we need some
13 methodology whereby if few can be provisioned off the
14 IDLC that Qwest beefs up the office so it can handle
15 more, otherwise you get into tremendous problems.

16 MR. STEESE: A pre-North Point
17 acquisition, and I know that's not a done deal yet, but
18 pre-North Point acquisition the primary play for AT&T
19 into the residential market was your own cable plant,
20 correct?

21 MS. DeCOOK: Our "primary play"?

22 MR. STEESE: Your primary --

23 MS. DeCOOK: What we've done so far or
24 what we intend to do? I don't see how that's relevant,
25 but that is public knowledge that that's where we

1 cable plant to serve residential customers and you're
2 doing so today, correct?

3 MR. WILSON: Yes, AT&T is doing that.
4 Its cable plant only reaches a fraction of the
5 customers in any market. In some states, no customers.

6 MR. STEESE: Then in addition to that,
7 AT&T is in the process of, whatever the status is I
8 don't know, of acquiring North Point so it can serve
9 customers using DSL service, correct?

10 MS. DeCOOK: Just a clarification:
11 AT&T is not acquiring North Point.

12 MR. STEESE: North Point facilities.

13 MS. DeCOOK: Assets.

14 MR. STEESE: Fine.

15 MR. WILSON: It is. I don't know where
16 those are, what percentage of customers they cover,
17 what part of these states that addresses.

18 MR. STEESE: Then for my point,
19 we look at AT&T currently, today, who is the party
20 asking for this. They've never had a situation where
21 they've tried to unbundle a loop with IDLC. Their
22 primary entry strategy has been cable plant to the
23 residential market where IDLC may exist.

24 Third, the new mode of entry, DSL with
25 North Point facilities' assets, is a DSL play and IDLC

1 unbundling does absolutely zero good. You have to have
2 copper plant. Even if we did all this, it wouldn't
3 help there.

4 I see this as an interesting
5 discussion, but we think that the process we have
6 put in place is more than adequate, and the situation
7 where we've had problems in the past has been where we
8 had complete central office exhaust, which we had to
9 literally build 4,000, 5,000, I don't remember which
10 it is, in addition to a central office to add capacity.

11 So we're sitting here and talking
12 about this and AT&T has made a huge point of it, and I
13 don't see how their public proclaimed entry methods
14 affect this. Because if they get UNE-P, we don't have
15 to unbundle the loop. We don't see how they're going
16 to unbundle the loop to enter the residential market
17 using IDLC.

18 We think it's a red herring argument.

19 MS. DeCOOK: Mr. Antonuk, I think we
20 can argue the legal aspects of that, but I'm sure you
21 would rather hear those in our brief.

22 It sounds to me like we're at impasse
23 on this issue, unless there's some additional factual
24 information that Ken would like to put in the record or
25 other proposals or clarifications of the proposals.

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